

Senate File 89 - Introduced

SENATE FILE _____
BY DVORSKY

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing a recreational therapy board, requiring the
2 licensure of recreational therapists, and providing for fees
3 and penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1089XS 82
6 jr/je/5

PAG LIN

1 1 Section 1. Section 147.1, subsection 2, paragraph c, Code
1 2 2007, is amended to read as follows:
1 3 c. "Licensed" or "certified" when applied to a physician
1 4 and surgeon, podiatric physician, osteopath, osteopathic
1 5 physician and surgeon, physician assistant, psychologist or
1 6 associate psychologist, chiropractor, nurse, dentist, dental
1 7 hygienist, optometrist, speech pathologist, audiologist,
1 8 pharmacist, physical therapist, occupational therapist,
1 9 recreational therapist, respiratory care practitioner,
1 10 practitioner of cosmetology arts and sciences, practitioner of
1 11 barbering, funeral director, dietitian, marital and family
1 12 therapist, mental health counselor, social worker, massage
1 13 therapist, athletic trainer, acupuncturist, or interpreter for
1 14 the hearing impaired means a person licensed under this
1 15 subtitle.

1 16 Sec. 2. Section 147.1, subsection 2, paragraph f, Code
1 17 2007, is amended to read as follows:
1 18 f. "Profession" means medicine and surgery, podiatry,
1 19 osteopathy, osteopathic medicine and surgery, practice as a
1 20 physician assistant, psychology, chiropractic, nursing,
1 21 dentistry, dental hygiene, optometry, speech pathology,
1 22 audiology, pharmacy, physical therapy, occupational therapy,
1 23 recreational therapy, respiratory care, cosmetology arts and
1 24 sciences, barbering, mortuary science, marital and family
1 25 therapy, mental health counseling, social work, dietetics,
1 26 massage therapy, athletic training, acupuncture, or
1 27 interpreting for the hearing impaired.

1 28 Sec. 3. Section 147.2, unnumbered paragraph 1, Code 2007,
1 29 is amended to read as follows:

1 30 A person shall not engage in the practice of medicine and
1 31 surgery, podiatry, osteopathy, osteopathic medicine and
1 32 surgery, psychology, chiropractic, physical therapy, nursing,
1 33 dentistry, dental hygiene, optometry, speech pathology,
1 34 audiology, occupational therapy, recreational therapy,
1 35 respiratory care, pharmacy, cosmetology, barbering, social
2 1 work, dietetics, marital and family therapy or mental health
2 2 counseling, massage therapy, mortuary science, athletic
2 3 training, acupuncture, or interpreting for the hearing
2 4 impaired, or shall not practice as a physician assistant as
2 5 defined in the following chapters of this subtitle, unless the
2 6 person has obtained from the department a license for that
2 7 purpose.

2 8 Sec. 4. Section 147.13, Code 2007, is amended by adding
2 9 the following new subsection:

2 10 NEW SUBSECTION. 24. For recreational therapists,
2 11 recreational therapy.

2 12 Sec. 5. Section 147.14, Code 2007, is amended by adding
2 13 the following new subsection:

2 14 NEW SUBSECTION. 22. For recreational therapy, three
2 15 licensed recreational therapists who have engaged in the
2 16 practice of recreational therapy or therapeutic recreation in
2 17 Iowa for at least three years immediately preceding their
2 18 appointment to the board and two members who are not licensed
2 19 to practice recreational therapy and who shall represent the

2 20 general public. A majority of members of the board
2 21 constitutes a quorum.

2 22 Sec. 6. Section 147.74, Code 2007, is amended by adding
2 23 the following new subsection:
2 24 NEW SUBSECTION. 9A. A recreational therapist licensed
2 25 under chapter 148F may use the words "recreational therapist"
2 26 after the person's name or signify the same by the use of the
2 27 letters "R. T." after the person's name.

2 28 Sec. 7. Section 147.80, Code 2007, is amended by adding
2 29 the following new subsection:
2 30 NEW SUBSECTION. 18A. License to practice recreational
2 31 therapy issued upon the basis of an examination given by the
2 32 board of recreational therapy, license to practice
2 33 recreational therapy issued under a reciprocal agreement,
2 34 renewal of a license to practice recreational therapy.

2 35 Sec. 8. NEW SECTION. 148F.1 TITLE AND PURPOSE.
3 1 This chapter may be cited and referred to as the
3 2 "Recreational Therapy Practice Act".
3 3 The purpose of this chapter is to provide for the
3 4 regulation of persons offering recreational therapy services
3 5 to the public in order to safeguard the public health, safety,
3 6 and welfare.

3 7 Sec. 9. NEW SECTION. 148F.2 DEFINITIONS.
3 8 As used in this chapter:
3 9 1. "Board" means the board of recreational therapy.
3 10 2. "Recreational therapy" means a treatment service
3 11 designed to restore, remediate, or rehabilitate a patient's or
3 12 client's level of functioning and independence in life
3 13 activities, or to reduce or eliminate the life activity
3 14 restrictions caused by an illness or disabling condition, with
3 15 the primary purpose being to provide recreational resources
3 16 and opportunities in order to improve health and well-being.
3 17 "Recreational therapy" includes all direct patient or client
3 18 services of assessment, planning, design, implementation,
3 19 evaluation, and documentation of specific interventions,
3 20 management, consultation, research, and education.
3 21 3. "Therapeutic recreation" means treatment services or
3 22 recreational therapy services provided to persons with
3 23 illnesses or disabling conditions.

3 24 Sec. 10. NEW SECTION. 148F.3 DUTIES OF THE BOARD.
3 25 The board shall administer this chapter. The board's
3 26 duties shall include but are not limited to the following:
3 27 1. Adoption of rules to administer this chapter, chapter
3 28 147, and chapter 272C with respect to the licensing of
3 29 recreational therapists.
3 30 2. Adoption of rules relating to professional conduct and
3 31 licensing and the establishment of ethical and professional
3 32 standards of practice.
3 33 3. Adoption of rules relating to the process and knowledge
3 34 base of recreational therapy as delineated in the national
3 35 council for therapeutic recreation certification job analysis
4 1 study, as adopted by the board in rule. The rules shall adopt
4 2 by reference the specific edition of the job analysis study
4 3 which is to be followed.
4 4 4. Acting on matters concerning licensure and the process
4 5 of applying for, granting, suspending, imposing supervisory or
4 6 probationary conditions upon, reinstating, revoking, or
4 7 renewing a license.
4 8 5. Establishing and collecting licensure fees as provided
4 9 in section 147.80.
4 10 6. Developing continuing education requirements as a
4 11 condition of license renewal.
4 12 7. Evaluating requirements for licensure in other states
4 13 to determine if reciprocity may be granted.

4 14 Sec. 11. NEW SECTION. 148F.4 PERSONS AND PRACTICES NOT
4 15 AFFECTED.
4 16 This chapter does not prevent or restrict the practice,
4 17 services, or activities of any of the following:
4 18 1. A person licensed in this state by any other law from
4 19 engaging in the profession or occupation for which the person
4 20 is licensed.
4 21 2. A person employed as a recreational therapist by the
4 22 government of the United States if that person provides
4 23 recreational therapy solely under the direction or control of
4 24 the organization by which the person is employed.
4 25 3. A person pursuing a course of study leading to a degree
4 26 or certificate in recreational therapy in an accredited or
4 27 approved educational program, if the activities and services
4 28 constitute a part of a supervised course of study and the
4 29 person is designated by a title which clearly indicates the
4 30 person's status as a student or trainee.

4 31 Sec. 12. NEW SECTION. 148F.5 REQUIREMENTS FOR LICENSURE
4 32 == TEMPORARY LICENSE.

4 33 1. An applicant applying for a license as a recreational
4 34 therapist must file a written application on forms provided by
4 35 the board, showing to the satisfaction of the board that the
5 1 applicant holds a current certification as a certified
5 2 therapeutic recreation specialist by the national council for
5 3 therapeutic recreation certification.

5 4 2. A person may qualify for a one-year, nonrenewable
5 5 temporary license if the person is eligible to sit for the
5 6 national council for therapeutic recreation certification
5 7 examination.

5 8 Sec. 13. Section 272C.1, subsection 6, Code 2007, is
5 9 amended by adding the following new paragraph:

5 10 NEW PARAGRAPH. ae. The board of recreational therapy,
5 11 created pursuant to chapter 147.

5 12 Sec. 14. INITIAL BOARD. The initial members of the board
5 13 of recreational therapy shall be appointed to the following
5 14 terms:

5 15 1. Two recreational therapist members eligible for
5 16 licensure and one public member shall be appointed for a term
5 17 of two years.

5 18 2. One recreational therapist member eligible for
5 19 licensure and one public member shall be appointed for a term
5 20 of one year.

5 21 EXPLANATION

5 22 This bill creates new Code chapter 148F that requires the
5 23 licensure of recreational therapists. The bill provides for
5 24 the establishment of a five-member recreational therapy board
5 25 consisting of three members who are recreational therapists
5 26 and two members who represent the general public. The bill
5 27 provides for fees to fund the board and provides penalties for
5 28 violation of the practice requirement; those penalties are set
5 29 out for all health-related boards in Code chapters 147 and
5 30 272C. The board is similar in composition and
5 31 responsibilities to the other health-related licensing boards.

5 32 LSB 1089XS 82

5 33 jr:rj/je/5.1